S.B.CRIMINAL MISC. BAIL APPLICATION NO.5431/2007

(Mani Ram & Anr. vs. State of Rajasthan)

DATE OF ORDER : November 16, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.M.K.Garg, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioners as well as the Public Prosecutor for the State. Perused the order impugned.

Learned counsel for the petitioners submits that the petitioners have already paid a sum of Rs.21,000/- each to the first informant and parties have compromised the matter and the document entering into the compromise has been filed.

I have carefully gone through the compromise entered between the parties on 15.10.2007. It appears that the first informant received a sum of Rs.21,000/- from each of the petitioners and stated that he does not want to pursue the FIR lodged by him.

Having regard to the facts and circumstances of the case and the fact that money has been returned to the first informant and parties have compromised the matter, I consider it just and

proper to grant anticipatory bail to the petitioners.

Accordingly, the bail application filed by the petitioners under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Mani Ram s/o Hukma Ram and Mool Chand s/o Hukma Ram in FIR No.657/2007, P.S. Suratgarh, Distt. Sri Ganganagar, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-